

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

**STATE AUTOMOBILE MUTUAL
INSURANCE COMPANY**
Plaintiff,

vs.

LARSON PROPERTIES, INC.
Defendant.

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2:17-cv-00034-AM-CW
Civil Action Number

Jury

PLAINTIFF'S MOTION TO DISMISS WITHOUT PREJUDICE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff, State Automobile Mutual Insurance Company ("State Auto"), in the above-entitled and numbered cause, and for its Motion to Dismiss without Prejudice states as follows:

1. The Parties have come to a resolution of this matter and Plaintiff wishes to dismiss this matter without prejudice.
2. Defendant, Larson Properties, Inc., has not been served and has not made an appearance in this action.
3. State Auto requests that its Original Complaint for Declaratory Relief (Document #1) be dismissed without prejudice at the cost of the party incurring the same.

WHEREFORE, Plaintiff, State Automobile Mutual Insurance Company, respectfully requests that this action be dismissed without prejudice, and for all other relief just and proper in the premises.

Respectfully submitted,

/s/ Sterling Elza

Sterling Elza

State Bar No. 24026823

Alicia A. Murphy

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